



Attorney Docket No. 87437/CPK
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Thomas M. Laney, et al.
TITLE

THERMAL-EYE-TRANSFER MEDIA
FOR LABELS COMPRISING
POLY(LACTIC ACID) AND METHOD
OF MAKING THE SAME

Serial No.: 10/783,411
Filed: February 20, 2004

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Group Art Unit: 1774

Examiner: Bruce H. Hess

I hereby certify that this correspondence is being deposited today with
the United States Postal Services as First Class Mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450

Cheryl L. Betteridge

NAME

SIGNATURE

DATE:

Cheryl L. Betteridge
Oct 11, 2005

REQUEST FOR RECONSIDERATION

In response to the Office Action dated September 21, 2005, reexamination
and reconsideration in view of the following remarks are respectfully requested.

Claims 1-50 are provisionally rejected under the judicially created doctrine
of obviousness-type double patenting over either claims 1-50 of copending Application No.
10/783,101 or claims 1-36 of copending Application No. 10/783,103.

Please note, the Office Action states "...over either claims 1-51 of copending
Application No. 10/783,101 or **claims 1-50 of copending Application No. 10/783,411.**"
Application No. 10/783,411 is the instant application. Applicant believes the Examiner
intended "**claims 1-36 of copending Application No. 10/783,103**" as stated in the paragraph
above.

Although Applicants contend the inventions are patentably distinct, in order
to further prosecution, Applicants provide a terminal disclaimer in accordance with 37 CFR
§1.321(c) to overcome the double patenting rejection. Reconsideration and withdrawal of
the rejection are in order, and are respectfully requested.

Applicants submit all of claims 1-50 are in condition for allowance, no substantive rejection having been made. Prompt and favorable action in the form of a Notice of Allowance are respectfully requested. If the Examiner requires anything further, or has any questions, he is invited to contact Applicants' undersigned representative.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.